



*Approved 04-23-2008*

**SCOTTSDALE PLANNING COMMISSION  
KIVA - CITY HALL  
3939 N. DRINKWATER BOULEVARD  
SCOTTSDALE, ARIZONA  
APRIL 9, 2008**

**REGULAR MEETING MINUTES**

**PRESENT:** Steve Steinberg, Chairman  
David Barnett, Commissioner  
Steven Steinke, Commissioner  
Jeffrey Schwartz, Commissioner

**ABSENT:** James Heitel, Vice-Chairman  
Eric Hess, Commissioner  
Kevin O'Neill, Commissioner

**STAFF PRESENT:** Lusia Galav  
Joe Padilla  
Frank Gray  
Jeff Ruenger  
Kim Chafin  
Connie Padian  
Don Hadder

**CALL TO ORDER**

The regular meeting of the Scottsdale Planning Commission was called to order at 5:00 p.m.

**ROLL CALL**

A formal roll call was conducted, confirming members present as stated above.

## **MINUTES REVIEW AND APPROVAL**

1. March 26, 2008 Regular Meeting Minutes (Including Study Session)

**COMMISSIONER BARNETT MOVED TO APPROVE THE MINUTES OF THE MARCH 26, 2008 PLANNING COMMISSION MEETING, INCLUDING THE STUDY SESSION. SECONDED BY COMMISSIONER SCHWARTZ, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FOUR (4) TO ZERO (0).**

## **CONTINUANCES**

2. 16-UP-2007 Cambria Suites and Pima Condominium Suites

Request by applicant to amend an existing Conditional Use Permit for a hotel on a 5.938+/- acre parcel located at 7330 N. Pima Road with Multifamily Residential/Planned Community District (R-5/PCD) zoning.

**COMMISSIONER BARNETT MOVED TO CONTINUE 16-UP-2007, CAMBRIA SUITES AND PIMA CONDOMINIUM SUITES, TO A DATE TO BE DETERMINED. SECONDED BY COMMISSIONER STEINKE, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FOUR (4) TO ZERO (0).**

## **EXPEDITED AGENDA**

3. 24-UP-2007 Beverly Hills Rent-A-Car

Request by applicant for a Conditional Use Permit for the rental (leasing) of automobiles on a 0.246 acre parcel located at 2420 N. Scottsdale Road with Highway Commercial (C-3) zoning.

In response to a question by Commissioner Schwartz, Mr. Gray explained that the requested use fit within the results of the Gruen report which outlines three areas of growth potential for the area: housing, services, and retail. Staff is comfortable excluding a stipulation for two-year Use Permit review, which has been regularly included with Use Permits.

**COMMISSIONER BARNETT MOVED TO APPROVE 24-UP-2007 ASSUMING IT MEETS THE USE PERMIT CRITERIA. SECONDED BY COMMISSIONER SCHWARTZ, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FOUR (4) TO ZERO (0).**

## **REGULAR AGENDA**

4. 28-UP-2007 Granite Reef Substation

Mr. Hadder explained that due to growth, there was a need for additional electrical resources in the area. The substation will include a 10 to 12-foot wall with a design in character with Grayhawk and approved by the Grayhawk community. All power lines will be underground, and 2.23 acres of the 3.21 acre property will consist of desert landscape buffering. The station mechanics will be placed below the natural grade in order to shield the facility from off-site view.

Commissioner Barnett inquired whether alternate locations had been considered for the substation. Ms. Angela Creedon reviewed the steps undergone in choosing the site location. Alternatives discussed included State Land, located near the 101 at Frontage Road and Miller, which was removed from consideration when a nearby right-of-way was purchased, changing the land classification to prime commercial real estate. The City well site was taken out of consideration because it is being moved. Further discussions with the State Land Department identified the requested parcel as a remnant, making it eligible for use as a substation. All other available land in the area is considered prime commercial and a substation would not be considered the highest and best use of the land.

Ms. Creedon reviewed the site design noting that extensive public outreach was conducted. APS worked together with Grayhawk on the wall design and landscaping.

In response to a question by Commissioner Steinke, Ms. Creedon explained that the southern area under the existing power lines was not central to the load growth area. She reiterated that the equipment would be below grade and would not be visible. Extensive landscaping and increased setbacks, as well as the wall design were planned in response to neighborhood concerns.

In response to a concern by Commissioner Barnett, Mr. Hadder confirmed that the Ordinance would not allow vertical structures, such as cell towers, in the facility. It would not be proper to include a stipulation limiting underlying zoning uses as part of a Use Permit application.

Chairman Steinberg inquired about the effect on neighboring property values and public safety issues associated with the facility. Ms. Creedon noted no evidence that substation sites decrease property values. Every effort has been taken to assure inaccessibility to the site to ensure the safety of the public.

Mr. Steve Deming explained that placement of a substation facility underground becomes extremely expensive. Underground placement would expand the radius of the site and create access issues. He reiterated the efforts that had been made to minimize the effect on the area, including additional wall height, buffering distance, and community architectural committee approval on design.

Ms. Terry Heiens addressed the Commission in opposition to the substation site location. She felt the facility was being placed too close to the residential areas, depleting property values and creating a public safety issue.

Mr. Bob Beedle expressed concerns about the substation's detrimental effect on neighbors. In response to a question by Commissioner Schwartz, Mr. Beedle opined that the solution would be to place the substation in an alternate location. He agreed that APS had made reasonable efforts to create a design that was pleasing and conformed with the area.

Mr. Norm Sagon spoke on behalf of the Village of Grayhawk and their Board of Directors. He presented a package of 246 signatures of opposition, representing 75 percent of the residents of Village of Grayhawk. He reviewed other options that were available, including undergrounding the entire project stressing the detrimental effect the facility would have on their property, including disruption of

their lifestyle and lowering property values. He noted that the Community had no opportunity to oppose the location prior to APS acquiring the land. In response to a question by Commissioner Schwartz, Mr. Sagon acknowledged the design efforts of APS and noted that the property was located under the same address as the Village Grayhawk, which would contribute to lowering the property values.

Commissioner Barnett noted that a number of less desirable uses could be placed in that location, by right, under the zoning; the 12-foot wall is much less obtrusive than a 36-foot building would be, which is what would be allowed under the zoning. Mr. Sagon explained that it was the connotation of a utility that negatively impacted the Community; 75 percent of the Community felt an APS substation would not be harmonious with the Community.

In response to a question by Chairman Steinberg, Mr. Hadder reviewed the land use categories for the areas south of Grayhawk. He stressed that, although the area near the 101 would be developed with a mixture of uses, it was the right of the State Land Department not to allow the substation to be located on their privately owned prime commercial property. Chairman Steinberg opined that the substation should be located closer to the 101, away from residential areas.

Ms. Creedon reiterated that there are no alternative locations available. Despite neighborhood opposition, APS always strives to be a good neighbor.

Commissioner Schwartz expressed an understanding of neighbors' concerns regarding the location of the substation. He reiterated that as private property owners, the State Land Department had the right to make decisions regarding the use of their property, leaving APS with no alternate location. Discussions with the State Land Commission about obtaining a more desirable location would be better conducted by APS than the City of Scottsdale. He noted his support, with the caveat that APS consult the Homeowners Association about location of trees to ensure an appealing view.

Commissioner Steinke recalled the location of the Raintree substation site and neighborhood concerns when it was constructed. As the context of the area developed, other surroundings mask the view of the site. He opined that once the area is developed with landscaping and construction, the substation will be visually lost.

Commissioner Barnett commented that from a land use perspective the use was appropriate. He agreed that over time, the landscaping and other development would camouflage the 12-foot wall. He suggested the best approach for the opposing neighbors would be to gain support of local politicians because the argument revolves around economics, which is a political issue.

Commissioner Schwartz assured the residents that their comments did not fall on deaf ears. He reiterated his request that APS work directly with the Association in staking out the location of trees when installing the landscaping for the facility.

**COMMISSIONER SCHWARTZ MOVED TO APPROVE 28-UP-2007, GRANITE REEF SUBSTATION, ASSUMING IT MEETS THE USE PERMIT CRITERIA. SECONDED BY COMMISSIONER STEINKE, THE MOTION CARRIED WITH A VOTE OF THREE (3) TO ONE (1). CHAIRMAN STEINBERG DISSENTED.**

### **NON ACTION ITEM**

5. Review and comment on Planning and Development Service's proposed FY 08/09 Departmental Budget.

Mr. Gray provided a brief overview of the proposed budget. He reviewed the organizational structure of the Planning Department, highlighting the addition of the Office of Environmental Initiatives to the department. He noted that establishment of an Office of Environmental Initiatives will be an important part of the budget proposal. Another primary request will be for the addition of a Preserve Inspector who would work together with Claire Miller and Scott Hamilton covering the large expanse of Preserve Land and State Land, along with the volunteer stewards.

Mr. Gray explained that as needs within the department change, staff will be reallocated within the department and new hiring will be deferred. He noted that Scottsdale is not seeing the same downturn in development as some neighboring cities.

In response to questions by Commissioner Barnett, Mr. Gray used the Dust Ordinance as an example of what can be accomplished when Staff is focused on a single goal, as it would be with the new Environmental Office. Alternative language will be brought forth to City Council for the Dust Control Ordinance as a result of a dedicated group of Staff working to find alternative ways to comply with the State mandate.

In response to an inquiry by Commissioner Barnett, Ms. Galav noted that the text amendment discussion would be agendaized once Staff was able to coordinate with Advanced Planning.

Commissioner Schwartz complimented the structure and staff of the One Stop Shop. He opined that it was important to stay competitive with salaries in order to keep the best talent because great people create great things. Mr. Gray noted that as of the first of the year, Staff will get a two-percent raise and the department is planning no layoffs.

### **ADJOURNMENT**

With no further business to discuss, the regular session of the Planning Commission adjourned at 6:32 p.m.

Respectfully submitted,  
AV-Tronics, Inc